



# **HOMELAND SECURITY**

## **Response Requirements for America's Fire and Emergency Service**

Statement by

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*presented to*

**Subcommittee on Science, Technology, and Space**  
of the  
**Committee on Commerce, Science,  
and Transportation**

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**Testimony of**  
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Good afternoon, Mr. Chairman and members of the subcommittee. Thank you for this opportunity to advise you about the pressing needs of America's fire and emergency service. These needs arise out of our mandate to be prepared to respond to and mitigate the effects of acts of terrorism. These needs must be addressed if our people are to function effectively as the front line responders in the nation's new army of Homeland Security.

I am Chief John Buckman, president of the International Association of Fire Chiefs and chief of the German Township Volunteer Fire Department in Evansville, Indiana.

I represent the fire chiefs and other senior managers of the more than 31,000 fire departments in the United States. Those 31,000 fire departments comprise more than 1.1 million fire fighters and emergency medical services personnel. Of those 1.1 million emergency service workers, more than 800,000 are volunteers and 245,000 are career personnel.

Before turning to the business of this hearing, I want to take a minute to say thank you. Thank you to this committee, and through you to the Senate – indeed the entire Congress, for the support, caring and concern being shown members of the fire and emergency service and their families. Especially the families of the heroes – the 343 who died or are missing and the 147 others who were injured in New York, and all who responded when summoned to the World Trade Center, the Pentagon in Virginia, and the airliner crash in Pennsylvania. We are very grateful.

Mr. Chairman, the nation's fire chiefs have appeared before this committee and others many times before today. We have discussed the role of the fire and emergency service in protecting the nation's 280 million citizens, their homes and workplaces.

We have talked about the needs of the nation's fire, rescue, and EMS responders who are mandated to protect and to mitigate the effects of incidents affecting the nation's critical infrastructure.

These men and women are the only people in the United States who are trained, equipped, and sworn to respond immediately and address crises involving airports, government facilities, pipelines, refineries, electric power plants, water supply and treatment plants, communications facilities, railroads and subways, and dams, bridges and waterways.

And we are grateful for your response to our testimony on previous occasions and to our requests for federal assistance. You have enabled the nation's fire and emergency service to improve and increase its training. You have helped us to upgrade our apparatus and equipment. You have assisted us to better plan for our response to acts of terrorism. On behalf of the nation's fire chiefs, I say again, thank you, thank you very much.

But today, Mr. Chairman, everything is changed. We have done much with the resources provided, but there is much more to do. And we need your help to get it done. Without help from Congress and the Executive Branch, I am not sure that the nation's fire and emergency service can be as successful as everyone will want it to be in the future.

Earlier this year, Chief Jack Fanning of the New York City Fire Department (FDNY) testified in the Senate on the role of the fire service in responding to terrorism. Fanning, the officer responsible for FDNY's Hazardous Materials Operations, said that in preparing for terrorism, *"the emphasis must be placed upon the most important aspect of the equation – the first responder and first responder teams."*

In the 60 minutes or so before the collapse of the World Trade Center towers, *tens of thousands* of people were safely evacuated by the New York City Fire Department, whose brave members, assisted by courageous police officers and others, worked to rescue thousands still trapped by fire and smoke.

Chief Fanning told the Senate – and I quote from his testimony – *"if lives are to be saved and suffering reduced it will be up to them to do it. At an incident, whatever the scale, fire fighters and other responders will be there within minutes, some quite possibly becoming victims themselves."*

How prophetic of Jack Fanning! And how sad it is that my good friend's 31 years of service to the people of New York City ended on September 11. For he is one of the 343 heroes – including the city's fire chief and most of his senior command staff – who responded to their last alarm...who died in the act of saving others.

Chief Fanning's Senate testimony last May ended with these words: *"They (the first responders) will do what they have always done – act to protect the public they serve. Knowing this, let us provide them with the tools they need to perform their duties safely and effectively."*

That, Mr. Chairman and members of the subcommittee, is our request today. Please give them *"the tools they need to perform their duties safely and effectively."*

We owe it to the American public. We owe it to Chief Fanning and the thousands of other "first responders" who worked so hard in the minutes, hours, days and weeks following the attacks on "9-11."

As I said a few moments ago, today everything is changed. It wasn't long ago that all of us in the fire and emergency service worked to assess the vulnerabilities in our communities and develop plans to deal with situations like terrorist attacks. I don't think there is one of us who ever anticipated a concerted effort that would topple two of the world's tallest buildings, strike at the very nerve center of our national defense, kill more than 6,000 people, and injure another 8,500.

Moreover, there is consensus that our troubles have just begun.

On the front page of the September 28<sup>th</sup> edition of the *Washington Post*, the following was included in an article on the threat of more terrorist attacks against the United States:

*U.S. intelligence officials have told members of Congress there is a high probability that terrorists associated with Osama bin Laden will try to launch another major attack on American targets here or abroad in the near future.*

*Based on what officials described as credible new information, the FBI and the CIA have assessed the chances of a second attempt to attack the United States as very high, sources said yesterday.*

*At a briefing Tuesday, in response to a senator's question about the gravity of the threat, one intelligence official said there is a "100 percent" chance of an attack should the United States strike Afghanistan, according to sources familiar with the briefing.*

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*"We have to believe there will be another attempt by a terrorist group to hit us again," Sen. Richard C. Shelby (Ala.), ranking Republican on the Senate intelligence committee, said yesterday. "You can just about bet on it. That's just something you have to believe will happen."*

*Attorney General John Ashcroft warned earlier this week that there is a "likelihood of additional terrorist activity," and that the "risks go up" once the United States responds with military action. "We think that there is a very serious threat of additional problems now," Ashcroft said. "And frankly, as the United States responds, that threat may escalate."*

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*Government officials are fearful of attacks at any of hundreds or thousands of locations, including symbols of American power and culture, such as government buildings in Washington and centers of entertainment. They are concerned about truck bomb and car bomb explosions that could be detonated near natural gas lines, power plants and other sites that one source described as "exposed infrastructure."*

So a new book – the book on how emergency services respond to terrorism – has to be written. America's fire and emergency service must reassess how we prepare, how we train, how we are

equipped, how we respond, what strategies we implement, and what tactics we use.

This calls for new ways of thinking. It requires more highly trained personnel. It means our forces have to have new and better equipment. And as I said before, Mr. Chairman, it requires your help. The help that only Congress and the Executive Branch can provide.

I am here today to list the specific areas of concern that the nation's fire chiefs believe Congress can most effectively address.

### **1. Respiratory Protection**

**There is an urgent need for immediate action by NIOSH to establish standards and protocols for the design, testing and manufacture of devices to provide respiratory protection for fire, EMS, police and other emergency workers who may be exposed to chemical or biological agents.**

One of the most basic and essential tools necessary for effective emergency response is respiratory protection. The fire service is seriously concerned about the lack of appropriate respiratory protection for civilian "first responders" who may be called upon to respond to incidents of terrorism involving chemical or biological agents.

All civilian employers in the United States, including fire departments, are required to select and issue NIOSH-approved respirators, as appropriate, based on respiratory hazards. OSHA regulations under 29 CFR 1910.120 and 1910.134(d)(1) require it.

And yet, Mr. Chairman, as we sit here this afternoon, there is no NIOSH-approved respiratory protection available to civilian public safety personnel who may respond to a terrorist incident involving chemical or biological agents. Consequently, fire fighters and other "first responders" – and these include police officers, emergency medical services personnel, and other emergency workers – are completely at risk from these types of attacks.

For more than three years the International Association of Fire Chiefs has been urging the National Institute for Occupational Safety and Health (NIOSH) at the Department of Health and Human Services to make certification of cartridge-type respirators a high priority. The need is more urgent than ever before. Action is absolutely necessary.

Mr. Chairman, here is what we ask: that Congress use its influence over NIOSH to promote standards and certification of respiratory protection for fire and emergency service personnel to the No. 1 position

on their list of priorities. Considering the possible threats that we face, we simply cannot afford further delays.

## **2. 75,000 Additional Fire Fighters**

**The understaffing of fire departments is an issue that must be addressed. Whether a department is a career, combination, or volunteer, the level of staffing is an immediate issue, especially in the light of today's reality. Existing federal programs provide tools for equipment and training. No program provides for additional human resources for adequate response to terrorism.**

The primary objective of adding 75,000 U.S. fire fighters is raising the staffing level of fire departments throughout the country to four fire fighters per unit. A four-person response unit will yield a 100 percent increase in operational capacity compared with three-person companies. By federal OSHA law and proper safety practices, fire fighters must operate in teams of at least two people. Therefore, fire apparatus staffing of four will yield two working teams, doubling the capacity of apparatus staffed with three personnel which can only form one operational team. Raising staffing levels to four personnel is a large undertaking, but it is necessary.

Limited apparatus staffing reduces a fire department's ability to respond to a terrorist event where large amounts of resources are needed quickly and in quantity. Early intervention in the consequence of a terrorist event will increase the number of lives saved. Fire departments respond within three to five minutes and remain in place until an incident is resolved. No other consequence management resource can respond this quickly.

Nearly 20,000 fire departments submitted applications this year to the Assistance to Firefighters grant program. This gives some indication of the pressing need for equipment, training, tools and apparatus. There is no comparable program to address the deficit in human resources.

## **3. Assistance To Firefighters Grant Program**

**Congress should authorize \$5 billion over five years and appropriate \$600 million for dispersal this year.**

The Assistance to Firefighters program was enacted last year and \$100 million was appropriated for Fiscal Year 2001. This was the first such program of its kind for federal assistance to the fire service. Its purpose is to provide for the fundamental tools of fire fighting. In its first year, nearly 20,000 fire departments sought support from the federal government to upgrade training, personal protective gear, apparatus and equipment, and fitness/wellness programs to better enable personnel to respond to the all-hazards incidents to which we respond. Requests totaling nearly \$3 billion were received by FEMA, which gives a clear indication of fire service needs.

The Assistance to Firefighters grant program is vital in our effort to support local fire departments.

Departments throughout the nation face numerous challenges ranging from wildland fire protection, natural disaster response, emergency medical response, structural fire suppression, hazardous materials response, and response to incidents of terrorism. Often, local governments cannot afford the extensive training and specialized equipment that these activities require. In rural jurisdictions, the need is especially critical. Many rural fire departments make emergency runs using trucks that are 30 to 40 years old, they use outdated equipment, and struggle to receive adequate training.

The Assistance to Firefighters grant program assists local fire departments in many jurisdictions by providing the needed funds to pay for such critically needed equipment, apparatus and training.

Just last week the Senate acted to reauthorize the program. The amounts authorized were significantly increased. We urge that Congress consider authorizing this program for five years for \$5 billion. We further urge Congress to appropriate \$600 million to fund the program for Fiscal Year 2002.

Mr. Chairman, here is what we ask: that Congress continue its support of the fire service through increased appropriations for the Assistance to Firefighters program which began one year ago.

#### **4. Urban Search And Rescue/Command Overhead**

**There exists a pressing and urgent need to extend high-level search and rescue capabilities and expertise to local fire departments across the country. At times of significant incidents involving major structural collapses and extensive rescue and recovery operations these resources will be required.**

In the days immediately following the attacks on September 11, 2001, many Americans heard for the first time about the Federal Emergency Management Agency's "Urban Search and Rescue" (USAR) teams. There are 28 teams, largely composed of local fire fighters with specialized training and equipment and extensive experience that can be deployed to major incidents throughout the country.

In the metropolitan Washington area, for example, there are USAR teams in Fairfax County, Virginia, and Montgomery County, Maryland. In the event of a major structural collapse – such as occurred in New York City, or a few years ago in the San Francisco earthquake – these teams or any of the other 26 can be "activated" by FEMA. They travel to the scene of disasters to perform crucial rescue operations. The current USAR structure requires teams to travel long distances, usually on military aircraft.

When several USAR teams deploy, as was the case in New York City and at the Pentagon in Arlington County, Virginia, significant areas of the country are left vulnerable. Short response times are a critical

consideration when the lives of people buried beneath rubble are at stake.

The IAFC believes the USAR program should be expanded and upgraded by the formation of smaller, more mobile “USAR Lite” teams of specialists that can be quickly deployed over shorter distances to supplement local resources and to enhance the current USAR capability and improve USAR response times.

We believe there also is a need for what we call “Command Overhead Teams.” It is often the case in prolonged, major incidents that a fire department’s commanders are fully engaged in addressing the instant issues and are hard-pressed to anticipate what might develop and to then plan for the future. They would welcome outside assistance. The “Command Overhead Teams” concept involves the creation of small groups of three-to-five experienced command officers who can be called upon on short notice to provide assistance to local efforts in an emergency at the request of a local incident commander.

Mr. Chairman, we ask this: that Congress authorize and appropriate additional funds for FEMA for the creation and integration of Urban Search and Rescue “Lite” teams, and to develop and implement the “Command Overhead Teams” concept. Both of these programs, if Congress turns them into realities, will make a significant contribution to the safety and well-being of our citizens.

## **5. Metropolitan Medical Response System**

**Because the nation is critically vulnerable from coast-to-coast and border-to-border, the number of Metropolitan Medical Response System teams established through the Department of Health and Human Services should be significantly increased from the current 97 to 150.**

Several years ago, through its Office of Emergency Preparedness, the Department of Health and Human Services established a program for enhancing local preparedness through the creation of “systems” to respond to incidents of terrorism. The program focuses on the health and emergency medical aspects of incidents and provides funding for pharmaceuticals and personnel protective equipment.

“System” teams are composed of fire fighters, emergency medical service personnel and public health officials, who train together and are integrated into the overall response plan in the 97 metropolitan areas now covered. We believe the citizens of the United States who live in smaller metropolitan areas are entitled to enjoy same the type of protection as those who live in large cities.

Mr. Chairman, here is what we ask: We ask Congress to provide additional funding to the



Department of Health and Human Services, along with a request to Secretary Tommy Thompson to increase the number of cities and surrounding areas that are now included in the program.

## **6. Communications**

**There is a critical need to integrate advanced communications technologies into local emergency responder communications systems, and to expand the amount of radio spectrum that is allocated to emergency services, to enable better on-scene communications and to facilitate seamlessly interoperable radio communications among and between emergency response agencies.**

In major incidents where the responding emergency personnel involved come from different jurisdictions or agencies, each using its own radio frequencies, the issue of radio communications among and between responding agencies remains a challenge.

In fact, it is one of the most serious weaknesses in our emergency response system. Yet, it is essential for responding agencies to communicate with one another for there to be a well-organized, effective response. Command, control and communications are the essentials of incident management, and communications is the linchpin.

There are on the market today a variety of devices that facilitate interoperability, but widespread application of these technologies is financially prohibitive for many agencies across the country.

However, the long-term solution lies in radio spectrum allocation. Congress should direct the Federal Communications Commission and the Department of Defense to provide appropriate spectrum to public safety agencies.

This committee played a pivotal role in reallocating four digital television channels for exclusive use by state and local public safety agencies, as provided in the Balanced Budget Act of 1997. Work is currently in progress with the Federal Communications Commission to establish the operating standards and interoperable criteria for eventual use of the frequencies by public safety agencies. Even though acceptable progress is being made with standards development, a small number of television stations will need to abandon use of these frequencies in order for public safety to use this important radio spectrum.

Last year, Congress addressed the issue of allocating a small portion of the radio spectrum in the 138 - 144 MHz range for interoperability purposes. That spectrum, which is adjacent to existing public safety bands, currently is assigned to the Department of Defense. This committee was largely responsible for this most important provision in Section 1705 of Title XVII – “Assistance to Firefighters,” contained in Public Law 106-398.

The law requires the Secretary of Defense to submit an interim progress report by October 30 of this

year to the Senate Armed Services Committee and the House Armed Services Committee. Then, not later than January 1, 2002, the Secretary of Commerce and the Chairman of the Federal Communications Commission are to submit a report to Congress on alternative frequencies available for use by public safety systems.

Mr. Chairman, we ask this: that Congress, appropriate funds sufficient to provide for the acquisition of communications interoperability technology and equipment by fire departments wherever it is needed. We have been moving in that direction because Congress previously has allocated some monies for that purpose. But more is needed.

We also ask this: that Congress, exercising its oversight authority, ensure that these departments and agencies meet their respective reporting deadlines so that reallocation of frequencies for public safety use can be expedited.

## **7. Hazardous Materials**

**Fire departments nationwide need rapid access to life-saving information about hazardous materials cargoes being transported by rail and truck when responding to transportation incidents involving hazardous materials and rail passenger accidents.**

Response to incidents involving hazardous materials is largely a fire department responsibility. The Operation Respond Institute (ORI), a non-profit organization, in cooperation with the freight industry, has developed computer software that provides rapid access to life-saving information to fire departments responding to transportation incidents involving hazardous materials and rail passenger accidents.

Mr. Chairman, we ask this: that Congress authorize and fund a program that will supplement industry's commitment to safety by making possible the distribution of ORI's software to all public safety emergency operations centers. Further, a \$10 million authorization over five years would significantly contribute to both fire fighter and the public's safety by assuring continued research and development in this important public/private partnership.

## **8. Coordination of Terrorism Preparedness Programs**

**Certifying the Office of National Preparedness within FEMA would significantly improve federal, state and local agencies' efforts to coordinate in planning and preparedness.**

Federal efforts to help prepare local "first responders" for incidents of terrorism that may involve chemical or biological agents began with the Nunn-Lugar-Domenici amendment to the 1997 Defense Authorization Act. It directed the Department of Defense to begin training and equipping local fire fighters and police to deal with incidents of terrorism involving chemical/biological agents. Similar programs have since been authorized by Congress, bringing the Departments of Justice, Health and

Human Services, FEMA and other federal agencies into the effort.

Without doubt we have made progress, but preparedness efforts need to be more clearly focused. We have testified in the past about the need for a single, national strategy to guide us moving forward. We also have pointed to the lack of that universally accepted planning tool: goal setting. Without clearly defined, measurable preparedness goals, it is difficult to measure progress.

Legislation introduced by Sen. Bob Smith, S. 1453, the Preparedness Against Terrorism Act, 2001, speaks to these issues. This legislation would codify the Office of National Preparedness (ONP) at the Federal Emergency Management Agency, created at President Bush's direction in May of this year. The ONP would serve as a single point-of-contact for state and local public safety agencies. The legislation also creates a "President's Council" to guide the ONP in developing a national strategy that includes measurable preparedness goals. Attached to this testimony is the Strategy developed by the IAFC to advance this preparedness concept.

The executive director of the ONP, as envisioned in the bill, would be charged with reviewing all federal training and response programs, to ensure that each of the many programs, spread across myriad federal agencies, adheres to criteria developed by the "President's Council" to ensure consistency with our national strategy.

The IAFC applauds this legislation. It has the support of America's first responders and represents a crucial step in the right direction.

It is a logical extension of FEMA's responsibilities for disaster response. We believe it is consistent with President Bush's public announcement in May concerning the organization and management of federal terrorism response programs and his creation of the Office of Homeland Security. Mr. Chairman, we ask that the Senate make whatever modifications may be necessary to S. 1453 with respect to Governor Ridge's new Homeland Security office and act quickly to approve this legislation.

## **9. Additional Grant and Training Programs**

**Congress should increase funding for initiatives designed to assist fire departments with training and equipment acquisition, and return to the FY 1999 approach that directly provided assistance for our most populous communities while simultaneously requiring state-plans addressing the needs of communities beyond the 157 largest.**

Originally authorized by the Antiterrorism and Effective Death Penalty Act of 1996, the Office of Justice Programs at the Department of Justice administers a training consortium and an equipment acquisition program designed to assist "state and local" first responders' preparedness efforts. Many of the training opportunities have proved beneficial and we encourage that Congress continue to provide for them.

In fiscal year 1998, the Department of Justice began a grant program that provided direct assistance to local governments in the form of cash grants designated for the purchase of communications, personal

protective and detection equipment that would be employed in a non-traditional terrorist incident, one involving chemical or biological agents. The largest 120 jurisdictions were encouraged to submit competitive applications.

In fiscal year 1999, Congress chose an approach that, in addition to providing direct grants to an additional 37 jurisdictions, directed funding to each of the 50 states to provide for communities beyond the 157 most populated. That approach made sense to the fire service and we support it.

However, in FY 2000 and beyond, Congress directed the Department of Justice to cease direct aid to our country's most densely populated communities and instead chose to funnel all available equipment purchase funds through the states. The intent of Congress, as we understood it, was for each state to develop a plan that provided for the distribution of funds, subject to an 80 percent "pass-through" requirement to local communities, based on need.

Mr. Chairman, Congress provided funding and direction to the states for this purpose in federal fiscal year 1999. We are today nearly a month into federal fiscal year 2002. We are aware of fewer than ten states that have completed and submitted to the Justice Department the plans that Congress specified. There are currently tens, if not hundreds, of millions of dollars bottled up at the Justice Department because the states have not acted.

In speaking with several of my colleagues, I am aware that several states began their assessment and planning process only after the events of September 11.

Mr. Chairman, we call upon Congress to do whatever it takes to free sums that have already been appropriated by law for the purpose of enhancing the capabilities of local responders. We believe that the bottleneck can be addressed by an immediate release of funds to the states, provided, that this is done under the strict supervision of the Office of Justice Programs to ensure that the intent of Congress is met.

Mr. Chairman, we also ask that Congress return to the fiscal year 1999 approach that directly provided for our most populous communities while simultaneously requiring state-plans addressing the needs of communities beyond the 157 largest. Regardless of anyone's philosophical view of the relationship between local, state and federal government, it is simply the right thing to do if we are to enhance our ability to protect as many citizens as possible.

## **10. Homeland Security**

**The nation's fire and emergency service must be integrated as a major partner into the nation's Homeland Security initiative.**

President Bush has established the Office of Homeland Security and appointed former Governor Tom Ridge to head the new organization. The Secretary of Defense has designated the Secretary of the Army to lead the Department of Defense's homeland security effort. These appointments underscore the need to manage and closely coordinate the federal government's counter-terrorism activities.

But Homeland Security is so much more than the federal government. America's fire and emergency service, which will respond immediately and locally to any terrorist incident, is a key element in homeland security. The fire and emergency service looks forward to a close working partnership with the leadership of these initiatives.

Mr. Chairman, we ask this: that Congress, through oversight and enabling legislation, act to ensure that the nation's fire and emergency service is accorded a strong role in the development of federal policies and plans relative to the fire service and other local first responders.

## **11. Medal of Valor**

**Immediate action is required to implement the provisions of the congressionally mandated Public Safety Officer Medal of Valor Act in order to recognize the 9-11 heroes.**

Mr. Chairman, at the outset I stated that we are here today to ask for critical actions by Congress. This one is the one that gives rise simultaneously to sadness and the great satisfaction. Because it deals expressly with the men and women who serve so valiantly, so selflessly, in the nation's public safety services.

In May, President Bush signed into law the Public Safety Officer Medal of Valor Act. The law establishes a medal that the president may award and present in the name of Congress to deserving recipients.

The law provides for a Medal of Valor Review Board, the majority of which are to be appointed by the leadership of the Senate and House of Representatives. Members of that review board have not yet been named.

And so, Mr. Chairman, today we ask this: that steps be taken immediately to expedite these appointments so that appropriate recognition can be bestowed upon those whose lives were abruptly ended in the many acts of extraordinary valor, above and beyond the call of duty.

## **Conclusion**

Finally, Mr. Chairman, I want to note that President Bush has nominated R. David Paulison, Chief of the Miami-Dade Fire and Rescue Department in Florida, to be Administrator of the United States Fire Administration.

Chief Paulison is a past president of the International Association of Fire Chiefs and he has served the citizens of the Miami-Dade County area of Florida for 30 years. He has the strong support and confidence of the nation's fire service. When the nomination is submitted, we respectfully urge the committee to move swiftly in the process for Senate confirmation of Chief Paulison.

The International Association of Fire Chiefs very much appreciates the opportunity to appear before you today and to share our views with you on the urgent needs to better prepare America's fire and emergency service to deal with act of terrorism in this country.

We are the front-line troops in the new army of homeland security.

Thank you.